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U.S. BANKRUPTCY
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:) Bankruptcy No. 18-23130
)
HILARY PAUL SUTTON, II)
AND PATRICIA LYNN) Chapter 13
SUTTON,)
)
Debtors,) Hearing Date & Time: May 19,
) 2021@10:00 a.m.
)
)
) Related to Dkt. No. 49
HILARY PAUL SUTTON, II)
AND PATRICIA LYNN)
SUTTON,)
)
Movants,)
)
)
v.)
)
RONDA WINNECOUR,)
CHAPTER 13 TRUSTEE,)
)
Respondent.

AMENDED ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING

The mater comes before the Court upon Motion of the DEBTORS FOR POSTPETITION FINANCING , at Docket Number 49) ("Motion) filed by the Debtors on April 14, 2021. A Certificate of No Objection ("CNO") was filed on May 18, 2021 . Based upon the foregoing, and for good cause shown, it is hereby ORDERED, ADJUDGED, and DECREED that:

1. The Motion at Docket No. 49 is GRANTED as provided by the terms of the Order.

Debtors are authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms.

a. The total amount of financing **shall not exceed \$30,000.00**; and

- b. The monthly payments made under the financing **agreement shall not exceed \$300.00 Monthly Payment.**
- 2. To the extent the Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan.** Within **30 DAY** of secured financing.

 - a. an amended chapter 13 plan; and
 - b. a report of financing (INCLUDING DETAILS OF AUTOMOBILE TRADE-IN OF SALE, IF APPLICABLE)
- 3. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the Chapter 13 Trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The Supplemental payments shall be in addition to the regular plan payments, pending confirmation of the amended plan.
- 4. Upon the filing of the report of financing INCLUDING DETAILS OF AUTOMOBILES TRADE-IN OR SALE, IF APPLICABLE, the chapter 13 trustee is authorized to cease in making payments to PRETITION AUTOMOBILE LENDER on the account of the PREPETITION LOAN CLAIM NUMBER. Pending confirmation of any amended plan providing for the new postpetition loan payments, the trustee is authorized to make monthly adequate protection payments to POSTPETITION AUTOMOBILE LENDER for the contract amount so long as sufficient supplemental funds are provided by Debtors.

5. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the POSTPETITION AUTOMOBILE LENDER.
6. Debtors shall serve copies of this *ORDER* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.

Dated: May 18, 2021

Case Administrator to mail to:
Debtors
Counsel for Debtors
Ronda J. Winnecour, Esq,
Office of the US Trustee



GREGORIO L. TADDONIO **jah**
UNITED STATES BANKRUPTCY JUDGE

ENTERED BY DEFAULT

In re:
Hillary Paul Sutton, II
Patricia Lynn Sutton
Debtors

Case No. 18-23130-GLT
Chapter 13

District/off: 0315-2
Date Rcvd: May 18, 2021

User: aala
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 20, 2021:

Recip ID **Recipient Name and Address**
db/jdb + Hillary Paul Sutton, II, Patricia Lynn Sutton, 2460 Potomac Avenue, Pittsburgh, PA 15216-2752

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 20, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 18, 2021 at the address(es) listed below:

| Name | Email Address |
|-------------------------|--|
| Bradley Joseph Osborne | on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT c/o Rushmore Loan Management Services LLC bosborne@hoflawgroup.com, pfranz@hoflawgroup.com |
| Brian Nicholas | on behalf of Creditor Select Portfolio Servicing as servicer for ABS REO Trust VI bnicholas@kmllawgroup.com |
| Brian Nicholas | on behalf of Creditor BANK OF AMERICA N.A. bnicholas@kmllawgroup.com |
| Danielle Boyle-Ebersole | on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT c/o Rushmore Loan Management Services LLC dboyle-ebersole@orlans.com |
| Jeffrey R. Hunt | on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com cnoroski@grblaw.com |

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Jeffrey R. Hunt

on behalf of Creditor City and School District of Pittsburgh jhunt@grblaw.com cnoroski@grblaw.com

Joseph Peter Nigro

on behalf of Joint Debtor Patricia Lynn Sutton nigroassociateslaw@gmail.com
chrissyvock86@gmail.com;jasonkelley@comcast.net;nigrojr73104@notify.bestcase.com

Joseph Peter Nigro

on behalf of Debtor Hillary Paul Sutton II nigroassociateslaw@gmail.com,
chrissyvock86@gmail.com;jasonkelley@comcast.net;nigrojr73104@notify.bestcase.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Raymond M Kempinski

on behalf of Creditor BANK OF AMERICA N.A. ecfmail@mwc-law.com, ecfmail@ecf.courtdrive.com

Ronda J. Winnen

cmeclf@chapter13trusteewdpa.com

Thomas Song

on behalf of Creditor Bank Of America N.A. pawb@fedphe.com

TOTAL: 13